IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6136 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAMESHBHAI JOSHI

Versus

GUJARAT ELECTRICITY BOARD

Appearance:

MS SEJAL K MANDAVIA for Petitioner

MR NK MAJMUDAR for Respondent No. 1

MR VM PANCHOLI AGP for Respondent No. 2

None present for Respondent No. 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/04/2000

ORAL JUDGEMENT

This matter is squarely covered by the decision, which is given today in the Special Civil Application No.10570 of

1998. Only difference in these two cases is that in the case decided the representation filed by the Board in the matter of the grant of exemption to it from making payment of octroi to the municipal borough is pending before the State Government. Whereas in this case the representation made by the Board has been rejected. The order of rejection of the representation of the Board, by the State Government is not challenged by the Board. This writ petition is also disposed of in the same term in which Special Civil Application No.10570 of 1998 has been disposed of with slight modification that in case if the Board challenges the order of the State Government rejecting its representation and if the court decides in its favour then that decision will prevail over this decision. Rule stands disposed of accordingly. The respondent Board is directed to pay Rs.2,000/= as costs of this petition petitioner.

(S.K.Keshote, J.)

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